

REMARKS

Claims 18-31 were pending in the subject application. Applicant has hereinabove canceled claims 19 and 23-31 and amended claims 18 and 20. Accordingly, upon entry of this Amendment claims 18 and 20-22 will be pending and under examination.

Applicant maintains that these amendments to the claims do not raise any issue of new matter, and that these claims are supported by the specification as originally filed.

**Objection to the Specification Under 37 CFR 1.71 and
Rejection Under 35 U.S.C. §112, First Paragraph, Written
Description**

In the July 10, 2006 Final Office Action, the Examiner objected to the specification and rejected claims 18-31 under 35 U.S.C. §112, First Paragraph, as allegedly failing to provide support for the matter as now claimed. Specifically, the Examiner alleged that the specification as filed does not provide support for the claimed limitations: "said cavity further comprises a cavity length, wherein said cavity length spans substantially from said left side to said right side of said base portion", "a first cavity end", and "a second cavity end" in claims 18 and 25; "a releasably sealable lid" as in claims 18-19 and 25-26; "a hollow tube shape" as in claims 23-24 and 30-31; and "said hollow tube shape includes a circumference adapted to hold a plurality of oral medical tablets" as in claims 23 and 30.

The test for written description is whether the specification, as a whole, describes the claimed invention.

In response, applicants have canceled claims 19 and 23-31 and amended claims 18 and 20 to remove all objected terms. Accordingly this rejection and objection are now moot.

Applicant respectfully requests the Examiner to remove this ground of rejection and objection.

Rejections Under 35 U.S.C. §103(a)

In the July 10, 2006 Final Office Action, the Examiner rejected claims 18-20 under 35 U.S.C. §103(a) as allegedly obvious over Bartell et al. (U.S. Patent No. 4,889,236, hereinafter "Bartell") in view of Braverman et al. (U.S. Patent No. 4,416,375 hereinafter "Braverman") or Eaton (U.S. Patent No. 4,946,038, hereinafter "Eaton").

Further in the July 10, 2006 Final Office Action, the Examiner rejected claims 21-24 under 35 U.S.C. §103(a) as allegedly obvious over Bartell, Braverman, Eaton and further in view of Wick (U.S. Patent No. 5,014,851, hereinafter "Wick").

Even further in the July 10, 2006 Final Office Action, the Examiner rejected claims 25-31 under 35 U.S.C. §103(a) as allegedly obvious over Bartell, Braverman, Eaton, Wick and Mattis et al. (U.S. Published Patent Application No. 2002/0066690, hereinafter "Mattis").

In response to the Examiner's rejection, applicant respectfully traverses on the ground that a prima facie case of obviousness has not been established.

Under MPEP §2143, to establish a prima facie case of obviousness the cited reference must teach or suggest every element of the claims.

Briefly, amended claim 18 recites a wallet pill card comprising 18. a top, a bottom, a left side, a right side, a front side, and a back side, further wherein said wallet pill card comprises a shape substantially similar to a credit card, wherein said bottom of said wallet pill card further comprises a thickness that is equal to or less than a credit card thickness; a cavity, wherein said cavity is located on and extends outwardly from said top of said wallet pill card, and wherein said cavity comprises a thickness designed to contain oral medical tablets, and wherein said cavity further comprises a cavity resealing mechanism.

None of the cited references, either alone, or in combination, teach or suggest all the elements of the pending claims. The subject application discloses a card with a distinguishable bottom portion specifically designed with a credit card thickness combined with a top portion designed with a thickness to contain medical tablets. The subject application discloses a card with a non-uniform thickness. The packages disclosed by the cited references does not contain a separate bottom portion that is free of

medical tablet containers. On the contrary, the packages disclosed by the prior art possess medical tablet containers equally spaced over the entire package with no separate bottom portion. Thus, the packages disclosed by the prior art have, at the very least, a uniform thickness that is equal to or greater than the thickness of the smallest tablet to be contained. These prior art packages do not contain a portion that is specifically adapted to fit within credit card slot in a standard wallet.

Therefore, none of the references, alone, or in combination teach or suggest all the elements of the pending claims. In view of the applicant's amendments to the claims, applicant respectfully requests the Examiner to remove this ground of rejection.

Reconsideration and further examination is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 12-0115.

In the event that a further extension of time is required to file this response, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any additional fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 12-0115.

Appl. No. 10/663,931

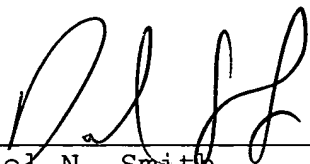
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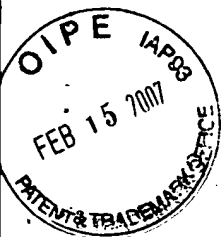
Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Daniel N. Smith, Applicant's Attorney at (617) 720-0091 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

2/9/07
Date 
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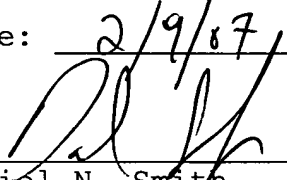
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CERTIFICATE OF MAILING

I hereby certify that this Amendment is being deposited with the United States Postal Service in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 with sufficient first class postage thereon on the date shown below.

Date: 2/9/07



Daniel N. Smith